

## **REMARKS**

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### **CONCURRENT REQUEST FOR CONTINUED EXAMINATION (RCE)**

Submitted concurrently herewith is a Request for Continued Examination (RCE) transmittal. In the event that the RCE transmittal is not filed herewith, then this paper should be taken as a request for the filing of an RCE.

### **RCE FILED TO AVOID PROSECUTION DELAYS**

In view of the significant features/limitations of the amended and/or added claims being inappropriate (i.e., deniable) for entry after final rejection in that such would require significant further search and/or consideration, the present RCE was filed to avoid Advisory Action delay and to gain immediate entry/consideration of such feature/limitations. In view of the significant features/limitations of the amended and/or added claims, it is respectfully submitted that it would NOT BE PROPER to make a FIRST ACTION FINAL within the present RCE.

### **REQUEST FOR EXAMINER INTERVIEW PRIOR TO FIRST ACTION**

An examiner interview prior to first Office Action in this continuing or substitute application is respectfully requested. As stated in MPEP "713.02, "A request for an interview prior to first Office Action is ordinarily granted in continuing or substitute

applications." Similarly, as stated in MPEP '706.07(b), "A request for an interview prior to first action on a continuing or substitute application should ordinarily be granted." The Examiner is respectfully requested to contact the attorney indicated on this paper at the local Washington, D.C. area telephone number of 703/312-6600 for the purpose of scheduling an examiner interview. The Examiner is thanked in advance for such considerations. Contact will also be attempted by the undersigned attorneys to schedule an Examiner Interview. In the event that the present papers, in and of themselves, are sufficient to place the application in condition for allowance, no Examiner interview would be necessary.

Applicant is interested in obtaining a patent for this application within the present year, and accordingly, in the event that the Examiner determines any claims to be allowable, then Applicant may be agreeable to cancel non-allowed claims to move the application to immediate allowance. Cancelled non-allowed claims might then be pursued within a continuation application.

### **PENDING CLAIMS**

Claims 6, 17, 19, 20 and 22-25 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 6, 17, 22 and 23 will be pending for further consideration and examination in the application.

### **REJECTION UNDER 35 USC '103**

The 35 USC '103 rejection of claims 6, 17, 19-20 and 22-25 as being unpatentable over Krapf (U.S. Patent 6,483,986) in view of Karaoguz et al. (U.S. Patent Pub 2004/0117836) and further in view of Goode et al. (U.S. Patent 6,166,730) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Applicant's clarified **claim 6** and **FIG. 3** (reproduced herewith) are used for further explanation/understanding as follows. More particularly, clarified **claim 6**

**FIG.3**

specifically recites: "A transmission and reception

apparatus which can link with an external

device via a network, comprising: a reception

device configured to receive a channel signal

from broadcasted programs based on

channel information related to said channel

signal; an output device configured to output

the channel signal received by the reception

device (**see "live watching and listening"**); a

recording device selectable to effect recording of the channel

signal received by the reception device; a

transmission system selectable to effect transmission of both said channel signal

recorded by the recording device and said channel information related to said

channel signal to the external device; and an input unit responsive to user

manipulation, wherein, based on user manipulation (**see second horizontal line**

**from top**) from the input unit, the recording device starts recording of the channel

signal (**see left-most "HDD video recording"**), and the output device stops

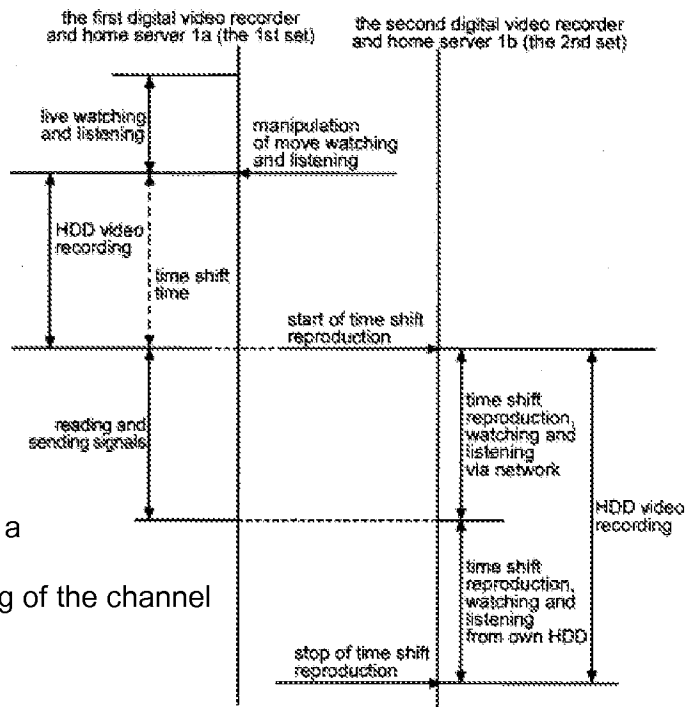
outputting the channel signal (**see vertical dashed line**); and wherein, in response

to a request (**see third horizontal line from the top**) from the external device, the

transmission system transmits both said channel signal and said channel information

(**see "reading and sending signals"**), and the recording device stops recording the

channel signal, wherein the transmission of said channel information is timing (**see**



**third horizontal line from the top)** for starting of recording of said channel signal regarding to said channel information at the external device.

Important differences between Applicant's claimed invention and the cited references are as follows.

1. "a transmission system selectable to effect transmission of both said channel signal recorded by the recording device and said channel information related to said channel signal to the external device" (claim 6, 22, 45-47 of Fig.8).

Regarding Office Action comments, such comments allege that Karaoguz teaches that communication network transmits only the video signal recorded by the recording device to the external device and Goode teaches only bookmark like the channel information.

However, these references (taken individually, or in combination) do not disclose transmission of both said channel signal and said channel information. And Office Action comments do not point out them.

2. "wherein the transmission of said channel information is timing for starting of recording of said channel signal related to said channel information at the external device." (claim 6 and 22, 45 of Fig.8 and 52 of Fig. 9)

Especially, in traversal of the Office Action assertions regarding the Goode reference, it is respectfully noted that the bookmark taught by Goode is actually position within a video stream. (col. 14 and 19), not channel information. More particularly, while Goode does mention "channel" at a number of locations throughout the Goode disclosure, nowhere is Goode's bookmark associated with the channel. That is, Goode's bookmark is just video stream position information.

Applicant's claimed channel channel information is **important** in that it is **used for selecting one of received channel signals from the broadcasted programs, and for recording of the channel signal received in the transmission and reception apparatus and the external device.**

And of further importance in Applicant's claimed invention, the transmission and **reception of the channel information is timing for starting of recording of said channel signal at the external device.**

In conclusion, it is respectfully submitted that the channel information of Applicant's claimed invention is not like a position of a video stream, and thus, is vastly different from a bookmark of Goode.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

#### **EXAMINER INVITED TO TELEPHONE**

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

### **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### **CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 501.43515X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Paul J. Skwierawski/  
Paul J. Skwierawski  
Registration No. 32,173

PJS/slk  
(703) 312-6600